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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

FISCHETTI, JOSEPH A

ART UNIT PAPER NUMBER

3627

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/839,037

Applicant(s)

NAISH ET AL.

Examiner

Joseph A. Fischetti

Art Unit

3627



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 May 2003.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 14-23 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 14-23 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14, 15, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muhme in view of Cusack et al.

Muhme discloses a processor 40; a memory operably coupled to the processor and having program instructions stored therein, the processor being operable to execute the program instructions, the program instructions including:

receiving secure area part reception information via a computer network (wireless interface 102 which communicates egress and ingress information of containers 50));  
updating secure area inventory information stored on a database by the data processing system using the secure area part reception information (inventory interface 124);  
receiving secure area part issuing information from the customer client via the computer network (wireless interface 102 which communicates egress and ingress information of containers 50); and updating the secure area inventory information using the secure area part issuing information (inventory interface 124 updated contents of database of items in inventory).

However, Muhme fails to disclose a storefront database which is linked to communicate with a client. However, Cusack et al. disclose such as system wherein the database 14 is operable to communicate with a customer 18 and a supplier 18. It would be obvious

to modify the system of Muhme to include the aforementioned structure of Cusack et al. connecting the database with customer and supplier, the motivation being the free flow of data between the involved parties.

Re claims 16, 18: the facility of Muhme is read as being a neutral site.

Claims 14, 17, 19, 20, 22, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muhme and Cusack et al. and further in view of Nelson.

Muhme and Cusack et al. disclose the invention substantially as claimed except for the limitations of claims 17, 19, 20, 22, 23. However, Nelson discloses: RE claim 17 generating by the data processing system a new part invoice when a new part is being issued according to the secure area part issuing information (read as the quote interface 120 which in effect is an invoice because it identifies part quantity and price); and generating by the data processing system a fixed price invoice for rebuilding a rotatable part core when a rotatable part is being issued according to the secure area part issuing information (read as the quote interface 120 which in effect is an invoice because it identifies part quantity and price).

Re claim 19: Nelson discloses accessing a customer profile database (OFR database) including customer document customization information associated with customer identification information col. 4 lines 38-59); retrieving by the data processing system from the customer profile database customization information using the customer identification information and generating by the data processing system customized

documents using the customization information (see col. 4 lines 43 –59 where it is stated that a filter driven customization of docs is retrieved sorted to the customer's requirements).

Re claim 20: Nelson discloses receiving by the data processing system from the customer client via the communications network core return information including a quantity of cores returned see col. 5 lines 4-20 re scrap or core details); incrementing a core credit by the quantity of cores returned (deemed to be obvious that pats would have some value and that an obvious expedient would be to give some credit for the scrap part. Also, Official notice is take to these ends with regards to store credits such as at SEARS for battery core kept by the store for scrap but given credit on the new purchase); receiving by the data processing system from the customer client via the communications network rotatable part issue information including a quantity of rotatable parts to issue (see col. 4 lines 60 et seq. for disclosure of part information); and updating the secure area information if the quantity of rotatable parts to issue is not greater than the core credit quantity (this step is deemed to be a matter of account design practice without patentable distinction..

Re claim 22: Nelson discloses maintaining by the data processing system in the storefront database a history of part transactions for a secure area Data held in OFR database col. 4 lines 20-23); receiving by the data processing system a part transaction history request from a client via the computer network, the part transaction history request including a part number see col. 4 lines 38-67; and generating by the data processing system a part history report document using the history of part transactions and the part number (see col. 4 lines 60-67, col. 5 lines 1-3).

Re claim 23. col. 5 line 7 Nelson discloses links to an alternatively formatted part history report document e.g., details.

Muhme and Cusack et al. disclose as set forth above a secure area in which inventory is stored and an inventory database communicated between the customer and supplier. It would be obvious to combine this with the structure of Nelson the motivation for this would be that this would keep tighter control of products and reduce shrinkage due to theft.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muhme and Cusack et al. and further in view of Nelson as applied above, and in view of Byford. The aforesaid combination fails to disclose storing in-transit shipment information in the storefront database, the in-transit shipment information including a waybill number from a carrier for accessing shipment status information from a carrier Web server; and receiving by the data processing system from a client via the computer network an in-transit shipment query; and generating by the data processing system an in-transit document including a hypertext link to the carrier Web server, the hypertext link comprising the waybill number. However, Byford does disclose such a internet based tracking system for parcels. It would be obvious to modify Nelson with Byford to include the tracking system because the motivation would be to have readily accessible internet tracking for all items.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to PRIMARY EXAMINER Joseph A. Fischetti at telephone number (703) 305-0731.

A handwritten signature in black ink, appearing to read 'JF' with a stylized flourish at the end.